

# **Notice under the Americans with Disabilities Act**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Fifth District Court of Appeals will not discriminate against qualified individuals with either physical or mental disabilities in its services, programs, or activities.

## **Employment:**

The Fifth District Court of Appeals does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

## **Effective Communication:**

The Fifth District Court of Appeals will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Court's services, programs, and activities, including qualified sign language interpreters, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

## **Modifications to Policies and Procedures:**

The Fifth District Court of Appeals will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the Fifth District Court of Appeals offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a service, program, or activity of the Fifth District Court of Appeals should contact its ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event:

**Polly Mallett**

**ADA Coordinator for the Fifth District Court of Appeals**

**110 Central Plaza S., Suite 320**

**Canton, Ohio 44702**

**Phone: 330-451-7437**

**Fax: 330-451-7249**

[pemallett@starkcountyohio.gov](mailto:pemallett@starkcountyohio.gov)

The ADA does not require the Fifth District Court of Appeals to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The Fifth District Court of Appeals will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

## **Fifth District Court of Appeals Grievance Procedure under the Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Fifth District Court of Appeals, including its affiliated offices.

The complaint should be in writing and contain information about the alleged discrimination, such as name, address, and phone number of complainant and the location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request. Additionally, there is a form available [here](#) that may be used to formulate a complaint.

The complaint should be submitted by the complainant or the complainant's designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**Polly Mallett**

**ADA Coordinator for the Fifth District Court of Appeals**

**110 Central Plaza S., Suite 320**

**[Canton, Ohio 44702](#)**

**Phone: 330-451-7437**

**Fax: 330-451-7249**

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Within 15 calendar days after receipt of the complaint, the ADA Coordinator or the Coordinator's designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or the Coordinator's designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print or audio tape. The response will explain the position of the Fifth District Court of Appeals and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or the Coordinator's designee does not satisfactorily resolve the issue, the complainant or the complainant's designee may appeal the decision to the Court Administrator of the Fifth District Court of Appeals within 15 calendar days after receipt of the response.

Within 15 calendar days after receipt of the appeal, the Court Administrator will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Court Administrator will respond in writing and, where appropriate, in a format accessible to the complainant with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or the Coordinator's designee, appeals to the Court Administrator, and responses from those offices will be retained by the Fifth District Court of Appeals for at least three years.

### **Resources for Persons who are Deaf, Hard of Hearing, and Deaf-Blind for Participation in Court Cases or Functions**

For accommodations available for persons who are deaf, hard of hearing, and deaf-blind related to participation in court cases or functions individuals should contact the court as soon as possible but no later than 48 hours before the scheduled event.